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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,364	06/30/2003	Dane M. Howard	50037.133US01	3177
27488 7590 10/29/2007 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER RAMAKRISHNAIAH, MELUR	
			ART UNIT 2614	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/611,364	<b>Applicant(s)</b> HOWARD ET AL.	
	<b>Examiner</b> Melur Ramakrishnaiah	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12-15-2004</u> .  | 6) <input type="checkbox"/> Other: _____                          |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 9, 12, 14-17, 23-24, 25, 30, 34-35, 37, 38 are rejected under 35 U.S.C 102(e) as being anticipated by Vong et al. (US PAT: 6,917,373, filed 12-28-2000, hereinafter Vong).

Regarding claim 1, Vong discloses a method of alerting a user of a device that includes user interface, comprising: detecting trigger in response to a trigger, identifying the alert associated with the trigger, activating the alert mode operating state to a selected alert, mapping the context of the user interface (for e.g., SNOZZE function in fig. 11A) to another context that is associated with the selected alert when the alert operating state is active, and notifying the user of the selected alert through the user interface when the alert operating state is active (figs. 11A, 11B; col. 12 lines 37 – 59).

Regarding claim 25, Vong discloses an apparatus, comprising: a user interface (figs. 11A-11B) that includes a display screen and a selector (for. e.g., 630, 640, figs. 11A-11B) and means (for e.g., 210, fig. 1) for detecting an alert in response to a trigger, a means (210) for identifying the alert that is associated with the trigger, a means (210) for activating an alert operating mode in response to a selected alert, a means for

mapping a context of the user interface (for e.g., SNOZZE function in fig. 11A) to another context with the selected alert when the alert mode operating state is active, and a means (210) for notifying the user of the selected alert through the user interface when mode alert mode operating state is active (figs. 1-4; figs. 11A, 11B; col. 12 lines 37 – 59).

Regarding claim 38, Vong discloses an apparatus, comprising: a user interface (figs. 11A-11B) that includes a display and a selector (for. e.g., 630, 640, figs. 11A-11B), and an electronic system (figs. 1-4) that is arranged to interact with the user interface and display, wherein the electronic system is configured to: detect an alert in response to a trigger, identify the alert that is associated with the trigger, activate an alert operating state in response to to a selected alert, map a context of the user interface (for e.g., SNOZZE function in fig. 11A) to another context that is associated with the selected alert, notify the user of the selected alert through the user interface when the alert mode operating state is active (figs. 11A, 11B; col. 12 lines 37 – 59).

Regarding claims 2-5, 9, 12, 14-17, 23-24, 30, 34-35, 37, Vong further teaches the following: detecting the alert in response to the trigger to at least one of: detecting interrupt request on the device, detecting a service request from an application program (such as email notification illustrated in figs. 12A-12C), and detecting a received broadcast transmission (for example weather forecast as shown in figs. 12A-12C) that is received by the device, trigger corresponds to at least one of time base trigger as illustrated in figs. 11A-11B, an event based trigger, and a peer-to-peer trigger (see claim 57), trigger corresponds to a time based trigger that is associated with at least one

scheduler function, a calendar function, an appointment function as illustrated in figs. 11A-11B, alarm function, etc., trigger corresponds to an event based trigger that is associated with at least one of low battery warning, stolen device warning, and a message function (col. 7 lines 53-66), persisting in the alert mode operating state until the selected alert is dismissed, dismissing selected alert in response to a selector from the user interface, returning to the initial operating state when the selected alert is dismissed (figs. 11A-11B, col. 12 lines 52-55), interface comprises at least one of a display screen (figs. 11A-11b), speaker type device (col. 7 line 50), an LED -type device, etc (col. 8 lines 51-53), notifying the of the selected alert corresponds to activating cue on the user interface, wherein cue corresponds to at least one of visual cue, an audible cue, etc (reads on display in figs. 11A-11B), activated cue is associated with at least one of: selected alert, a type that is associated with the selected alert, and a status that is associated with the selected alert (see figs 12-13), returning to an initial screen after the selected alert is dismissed (figs. 11A-11B), updating the status indicator of a display in the user interface after the selected alert is dismissed, wherein the status indicator is related to the selected alert, status indicator dynamically changes (col. 9 lines 51-60), a means for updating the display screen when alert operating state is active such that content associated with the display screen is updated according to time interval (col. 9 lines 57-60), means for transitioning between views on the display screen after the selected alert is dismissed (col. 9 lines 60-64), a means for transitioning a header region of the display screen after a selected alert is dismissed, wherein the header region (reads on for example number of messages) includes an indicator that is

associated with the selected alert (figs. 12A –12D) a means for dismissing the selected alert in response to at least one of: timeout and activation of selector in the user interface (figs. 11A-11B).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-8, 26, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vong in view of Monnes et al. (US PAT: 6,459,440, filed 7-15-1999, hereinafter, Monnes) Babka (US 2003/0142201A1, filed 8-5-2002).

Vong differs from claims 6-8, 26, 36 in that he does not specifically teach the following: prioritizing the identified alert, and selecting identified alert as selected alert when the priority of the satisfied the priority rule, wherein priority rule is arranged to manage identified alerts according to a hierarchy based at least one of: an assigned priority level that is associated with the identified alert and a time of occurrence that is associated with the identified alert, wherein low battery has a higher priority than a message alert.

However, Monnes discloses providing visual alerts when an event, such as an incoming message, an Alarm clock reminder, a calendar appointment, a low battery warning, a low memory warning is or printer error, has occurred (col. 1 lines 20-28), and Babka discloses method and system for presenting a video call management console

which discloses arranging in priority video calls based on number of alarms (reads on alerts) so that user can discern the importance of each (paragraphs: 0010, 0024).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: prioritizing the identified alert, and selecting identified alert as selected alert when the priority of the satisfied the priority rule, wherein priority rule is arranged to manage identified alerts according to a hierarchy based at least one of: an assigned priority level that is associated with the identified alert and a time of occurrence that is associated with the identified alert, wherein low battery has a higher priority than a message alert as this arrangement would facilitate the user to discern the importance or criticality of each alert so that user can respond accordingly as taught by Babaka.

5. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vong in view of Breneman et al. (US PAT: 5,974,135, hereinafter Breneman).

Vong differs from claims 10-11 in that although he discloses dismissing selected alert such as scheduled appointment as shown in figs 11A-11B in response to manual input such as user selecting dismiss label; he does not teach: dismissing the selected alert in response to timeout condition wherein timeout condition is associated with at least one of a scheduled appointment, expiration of specified time.

However, it is well known in the art to use to dismiss displayed information based on timeout as shown by Breneman (col. 17 lines 47-52).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: dismissing the

selected alert in response to timeout condition wherein timeout condition is associated with at least one of a scheduled appointment, expiration of specified time as this arrangement would facilitate automating dismissal information instead of manually doing it in order to make sure information is relevant to the circumstances of the user.

6. Claims 13, 18-19, 21, 27-28, 31-33, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vong in view of Cragun et al. (US PAT: 6,937,950, filed 12-26-2002, hereinafter Cragun).

Vong differs from claims 13, 18, 21, 27 in that he does not specifically teach: notifying the user of the selected alert corresponds to activating visual cue with the user interface, wherein the visual cue includes at least one field that is dynamically updated while alert mode persists, notifying the user of the selected alert corresponds to activating visual cue that is associated with the selected alert, wherein the visual cue corresponds to at least one of: graphical display screen, an animation sequence, a flashing screen etc, activating transition sequence after a predetermined time interval expires while the alert mode operating state is active.

However, Cragun discloses animated graphical object notification system which teaches: notifying the user of the selected alert corresponds to activating visual cue with the user interface, wherein the visual cue includes at least one field that is dynamically updated while alert mode persists, notifying the user of the selected alert corresponds to activating visual cue that is associated with the selected alert, wherein the visual cue corresponds to at least one of: graphical display screen, an animation sequence, a



flashing screen etc, activating transition sequence after a predetermined time interval expires while the alert mode operating state is active (col. 8 lines 12-61).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: notifying the user of the selected alert corresponds to activating visual cue with the user interface, wherein the visual cue includes at least one field that is dynamically updated while alert mode persists, notifying the user of the selected alert corresponds to activating visual cue that is associated with the selected alert, wherein the visual cue corresponds to at least one of: graphical display screen, an animation sequence, a flashing screen etc, activating transition sequence after a predetermined time interval expires while the alert mode operating state is active as this arrangement would provide one method, among many possible methods, of alerting the user to upcoming events as taught by Cragun so that user would not miss the event that he desired to be associated with.

Vong differs from claims 19, 28 and 40 in that he does not specifically teach: notifying the user of the selected alert corresponds to activating an audible cue that is associated with the selected alert, wherein the audible cue corresponds to at least one of single tone, sequence of tones, and synthesized sound play back etc.

However, Cragun teaches the following: notifying the user of the selected alert corresponds to activating an audible cue that is associated with the selected alert which includes synthesized sound play back (col. 7 lines 13-24).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: notifying the

user of the selected alert corresponds to activating an audible cue that is associated with the selected alert, wherein the audible cue corresponds to at least one of single tone, sequence of tones, and synthesized sound play back etc. as this arrangement would provide one method, among many possible methods, of alerting the user to upcoming events as taught by Cragun so that user would not miss the event that he desired to be associated with.

Vong differs from claims 31-33 in that he does not specifically teach: means for dynamically changing a status indicator region of the display screen, wherein status indicator region includes information that is associated with an identified alert, means for transitioning the display screen from an alert screen to an initial screen when alert mode operating state is active over a predetermined timeout interval, means for alternating between views on the display screen when the alert mode operating state is active.

However, Cragun teaches the following: means for dynamically changing a status indicator region of the display screen, wherein status indicator region includes information that is associated with an identified alert, means for transitioning the display screen from an alert screen to an initial screen when alert mode operating state is active over a predetermined timeout interval, means for alternating between views on the display screen when the alert mode operating state is active (col. 6 lines 4-30).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: means for dynamically changing a status indicator region of the display screen, wherein status indicator region includes information that is associated with an identified alert, means for

transitioning the display screen from an alert screen to an initial screen when alert mode operating state is active over a predetermined timeout interval, means for alternating between views on the display screen when the alert mode operating state is active as this arrangement would facilitate to dynamically change the alert notification so that user would not miss the event as taught by Cragun.

7. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vong in view of Cragun as applied to claim 21 above, and further in view of Scott et al. (US PAT: 5,675,752, hereinafter Scott).

The combination differs from claim 22 in that although it teaches transition sequence related to alert notification using various graphic transitions (col. 8 lines 12-61 of '950); it does not teach: transition sequence comprises at least one of: horizontal screen wipe, a vertical screen wipe, fade effect, etc.

However, it is well known in the art to use transition sequence such as transition sequence comprises at least one of: horizontal screen wipe, a vertical screen wipe, fade effect, etc. as taught by Scott (col. 25, line 64 – col. 26, line 13).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: transition sequence comprises at least one of: horizontal screen wipe, a vertical screen wipe, fade effect, etc. as this arrangement would provide one method, among many possible methods, of alerting the user to upcoming events as taught by Cragun so that user would not miss the event that he desired to be associated with.

8. Claims 20, 29 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vong in view of Monnes.

Vong differs from claims 20, 29 and 39 in that he does not specifically disclose: notifying the user of the selected alert corresponds to activating a vibrating cue that is associated wherein vibrating corresponds to at least one of: a single vibration, a repeating vibration, etc.

However, Monnes discloses notifying the user of events using vibrations (col. 1 lines 31-35).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Vong's system to provide for the following: notifying the user of the selected alert corresponds to activating a vibrating cue that is associated wherein vibrating corresponds to at least one of: a single vibration, a repeating vibration, etc. as this arrangement would provide one method, among many possible methods, of alerting the user to upcoming events as taught by Cragun so that user would not miss the event that he desired to be associated with.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(6,356,956) to Deo et al. discloses time triggered data objects.

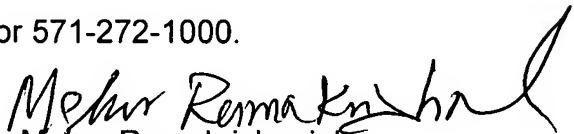
--(2003/0087665A1) to Tokkonen discloses reminder function for mobile communication device.

--(6,831,568) to Cortopassi et al. discloses method and apparatus for visual silent alarm indicator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Melur Ramakrishnaiah  
Primary Examiner  
Art Unit 2614